IN THE HIGH COURT OF JUDICATURE AT BILASPUR(CHHATTISGARH)

WRIT PETITION NO. 207 OF 2001

PETITIONER : SRI YOGESH KUMAR SHARMA, aged about 70 years, S/o. LATE SRI Sri K.P.Sharma, resident of D/3, VIDYA UPNAGAR, BILASPUR DISTRICT- BILASPUR (C.G.)

V E R S U S

RESPONDENTS :

1. PRESIDENT, BILASPUR ZILA SAHAKARI SANGH MARYADIT, DISTT. BILASPUR (C.G.)
2. THE JOINT REGISTRAR, ZILA SAHAKARI SANGH, BILASPUR, DISTRICT, BILASPUR (C.G.)
3. THE COMMISSIONER, BILASPUR DIVISION, DISTRICT - BILASPUR (C.G.)
4. THE COLLECTOR, BILASPUR, DISTT. BILASPUR (C.G.)
5. THE TAHSILDAR, BILASPUR, DISTT. BILASPUR (C.G.)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

1. PARTICULARS OF THE PETITIONER :- As mentioned above in the cause titile.

2. PARTICULARS OF THE RESPONDENTS :- As mentioned

XI-HC-22

49

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.250/ सन् 2002

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

08.03.2002

Heard Shri V.K.Pandey, learned counsel for the petitioner and Shri M.D.Sharma, learned counsel for the respondent No.1.

Since the prayer in this petition is to direct respondent No.1 to pay Rs.77,689/- as gratuity to the petitioner with interest at the rate of 24% per annum, service of notices to respondents No.2 to 5 are dispensed with and the petition is disposed of on merits.

Learned counsel for the respondent No.1 has filed reply. The Controlling Authority Payment of Gratuity, Bilaspur had passed an order directing respondent No.1 to pay to the petitioner Rs.77,689/- towards his gratuity with interest at the rate of 24% per annum and thereafter, send the papers to revenue authorities for recovery. The Revenue Authorities issued notices to respondent No.1 and respondent No.1 appeared before the Revenue Authorities and contended that the award passed in favour of the petitioner is a nullity. That objection was overruled by the Revenue Authorities against which the respondent No.1 has filed an appeal No.148-A-76/01 before the Sub Divisional Officer, Bilaspur and it is submitted that the said appeal is pending.

In the circumstances, till the disposal of the aforesaid appeal, the prayer of the petitioner in this petition cannot be considered. Hence,

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XI-HC-22

(50)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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the petition is disposed of with a direction to the Appellate Authority namely, the Sub Divisional Officer, Bilaspur to dispose of the aforesaid appeal filed by respondent No.1 within one month from the date of receipt of the copy of this order, if the said appeal is not disposed of already.

Accordingly, the petition is disposed of. The Sub Divisional Officer, Bilaspur is directed to dispose of the aforesaid appeal filed by the respondent No.1 within one month from the date of receipt of the copy of this order.

Send a copy of this order to Sub Divisional Officer, Bilaspur forthwith.

Parties are entitled for certified copy of this order.

Sd/-
Chief Justice

Raju/Soma

17/08

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